

Exhibit 6

Francesco Gallo

3/13/2008

187

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

FRANCESCO GALLO,

Plaintiff,

-against-

07 CV 06418
(CM) (HP)

ALITALIA-LINEE AEREE ITALIANE
SOCIETA PER AZIONI, PIERANDREA
GALLI, and GIULIO LIBUTTI,

Defendants.

-----X

CONTINUED DEPOSITION OF FRANCESCO GALLO

Thursday, March 13, 2008

New York, New York

REPORTED BY:

Holly Hough

Francesco Gallo

3/13/2008

1	Gallo	192	1	Gallo	194
2	MR. KORAL: Not Gallo 9, Defendant's 9. I		2	check.	
3	think our exhibits are marked --		3	Q. All right. It was a direct deposit?	
4	MR. KOCIAN: It's marked Defendants'		4	A. Probably.	
5	Exhibit, but it says Gallo 9 on it.		5	Q. Okay. But you think you received that	
6	MR. KORAL: That's interesting. I'm not		6	\$60,000?	
7	sure you did it for the first eight, but I'll		7	A. I believe so because what it referenced	
8	take a look when I get them back.		8	to, even if I did not agree on it, gasoline,	
9	MS. HORAN: But those aren't this case.		9	telephone, something like that.	
10	MR. KORAL: Yes, they are.		10	Q. Do you agree that \$60,000 represents the	
11	MS. HORAN: Gallo is the Alitalia, these		11	value of the six non-insurance benefits listed at	
12	are --		12	the top?	
13	MR. KORAL: One is LoRusso v. Alitalia.		13	A. No, sir.	
14	The eight are Gallo v. Alitalia. I thought		14	Q. Do you think that those are worth more	
15	that's what you wanted because it seems--		15	than \$60,000?	
16	MS. HORAN: Oh, no, I thought that the		16	A. Yes, sir.	
17	eight were LoRusso v. Alitalia.		17	Q. Okay. Have you ever done a calculation to	
18	MR. KORAL: No, there weren't eight marked		18	determine how much those non-insurance benefits are	
19	there.		19	worth?	
20	MS. HORAN: I believe there were.		20	A. I believe I did the calculation when I	
21	MR. KORAL: Maybe you're right.		21	received this letter.	
22	MS. HORAN: Yes, there were.		22	Q. You did it in writing, Mr. Gallo?	
23	MR. KORAL: It's a coincidence. Those		23	A. With my calculator.	
24	aren't from the Gallo case.		24	Q. With your calculator?	
25	Q. All right. Mr. Gallo, have you had a		25	A. I believe. I don't remember.	
1	Gallo	193	1	Gallo	195
2	chance to look this over?		2	Q. Have you ever written down what the values	
3	A. Yes.		3	are that you think these --	
4	Q. Did you receive the payments that are		4	A. No, no, because I was too upset.	
5	discussed in this letter?		5	Q. So to this day you have never written down	
6	A. Yes.		6	any calculations about what you think the value of	
7	Q. Okay. I will show you a document that was		7	these six non-insurance benefits are?	
8	marked yesterday as Porru Exhibit 1 by your attorney		8	A. No.	
9	when Mr. Smith took the deposition of Andrea Porru.		9	Q. That is correct?	
10	And I will ask you, I don't think I'll need to mark		10	A. Yes.	
11	it again, it probably would be more confusing if I		11	Q. Do you recollect what the total was that	
12	did.		12	you concluded they're worth?	
13	So I'm just going to show this to you,		13	A. I don't remember.	
14	Mr. Gallo; do you recollect receiving this letter?		14	Q. You don't remember?	
15	A. Yes, I think so.		15	A. No, too upset.	
16	Q. My first question, looking at page 2, is		16	Q. Okay. Turning to the first page of this	
17	whether you received a check for \$60,000 which		17	document.	
18	Alitalia claims -- and I understand you don't have		18	A. Yes.	
19	to agree that Alitalia is correct about this -- is		19	Q. Had you continued to receive medical-	
20	the value of certain non-insurance expenses that are		20	insurance coverage?	
21	listed on the top; did you receive that \$60,000		21	A. Some of it.	
22	check?		22	Q. Some of it?	
23	A. I believe so.		23	A. Yes.	
24	Q. Okay.		24	Q. What have you not received that you --	
25	A. I don't think, I don't think this was a		25	well, what have you not received?	

3 (Pages 192 to 195)

Francesco Gallo

3/13/2008

<p>1 Gallo 196</p> <p>2 A. At a certain point I believe that the plan</p> <p>3 changed and I find myself paying more for my</p> <p>4 medication, more deductible, not always, but I have</p> <p>5 a series of bills to be submitted for almost all-</p> <p>6 year round because seems that Aetna either doesn't</p> <p>7 like me anymore or whatever. It is very hard.</p> <p>8 Q. Do you have any reason to believe that the</p> <p>9 insurance coverage that you have now is different</p> <p>10 from the insurance coverage that active employees</p> <p>11 have?</p> <p>12 A. I don't know. I do not know what the</p> <p>13 active employees have. What I do know, what was the</p> <p>14 plan that I was enjoying.</p> <p>15 Q. Do you have any reason to believe that</p> <p>16 active employees are enjoying different benefits</p> <p>17 from the ones you have now?</p> <p>18 A. I have no idea. I don't know.</p> <p>19 Q. You have never asked anybody who is still</p> <p>20 an active employee?</p> <p>21 A. No.</p> <p>22 Q. You do have friends who are still active</p> <p>23 employees, don't you?</p> <p>24 A. Yes, but I do prefer not to talk about</p> <p>25 anything that has to do with benefits or work-</p>	<p>1 Gallo 198</p> <p>2 believe that you're not covered by the group life</p> <p>3 insurance that Alitalia has for its employees?</p> <p>4 A. I try not to believe anything.</p> <p>5 Q. Do you have any reason to believe that you</p> <p>6 are not covered by the same life insurance that</p> <p>7 Alitalia employees are covered by?</p> <p>8 A. I do not know, sir.</p> <p>9 Q. I'll try it once more. Do you have any</p> <p>10 reason to believe that you aren't covered by the</p> <p>11 same life insurance --</p> <p>12 A. No.</p> <p>13 Q. -- the other employees have?</p> <p>14 MR. KOCIAN: Objection.</p> <p>15 A. No, I have no reason to believe, no.</p> <p>16 Q. Okay, I understand, okay. Do you know</p> <p>17 whether you are covered by accidental death,</p> <p>18 disability or dismemberment insurance?</p> <p>19 A. Yes.</p> <p>20 Q. You are, okay. Do you know whether you</p> <p>21 are still covered by short-term-disability</p> <p>22 insurance?</p> <p>23 A. I think so.</p> <p>24 Q. And you are currently having a dispute</p> <p>25 with the long-term-disability-insurance carrier,</p>
<p>1 Gallo 197</p> <p>2 related matters.</p> <p>3 Q. Aren't you still receiving the First Rehab</p> <p>4 insurance benefit?</p> <p>5 A. I hope so, when I was admitted, because</p> <p>6 the last time there was about a year ago.</p> <p>7 Q. You haven't submitted anything to First</p> <p>8 Rehab in a year?</p> <p>9 A. Yes, I did not.</p> <p>10 Q. Okay. But you are still covered by First</p> <p>11 Rehab, correct?</p> <p>12 A. I hope so.</p> <p>13 Q. Okay. Are you still covered by dental</p> <p>14 insurance?</p> <p>15 A. I think so.</p> <p>16 Q. Are you still covered for life insurance?</p> <p>17 A. I hope so, if something should happen to</p> <p>18 me.</p> <p>19 Q. Did any life-insurance company ever tell</p> <p>20 you that your insurance was no longer in force?</p> <p>21 A. No.</p> <p>22 Q. Were you ever offered an individual</p> <p>23 conversion policy for life insurance?</p> <p>24 A. No.</p> <p>25 Q. All right. So do you have any reason to</p>	<p>1 Gallo 199</p> <p>2 UNUM, about whether they will pay benefits to you</p> <p>3 for long-term disability, correct?</p> <p>4 A. Well, UNUM rejected the appeal, as far as</p> <p>5 I know.</p> <p>6 Q. Do you know whether that is the end of the</p> <p>7 dispute?</p> <p>8 A. No because I hope that they will think</p> <p>9 about it.</p> <p>10 Q. Don't you have the ability to take a</p> <p>11 further appeal?</p> <p>12 A. I may consider that.</p> <p>13 Q. You're considering that?</p> <p>14 A. I'm considering that, yes.</p> <p>15 Q. You're considering it, okay.</p> <p>16 The reason that UNUM rejected coverage was</p> <p>17 because you had become a consultant, correct?</p> <p>18 A. Yes, that's what they stated.</p> <p>19 Q. They didn't state that Alitalia had</p> <p>20 stopped paying premiums?</p> <p>21 A. No, didn't mention that.</p> <p>22 Q. Okay. Mr. Gallo, at the deposition of Mr.</p> <p>23 Galli, which, as I recall, was conducted, I think,</p> <p>24 by Mr. Akin, as your attorney --</p> <p>25 A. I think so.</p>

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